

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**DERRICK HAMILTON**

**PLAINTIFF**

**v.**

**CASE NO.: 5:04CV00292 BD**

**GRANT HARRIS, *et al.***

**DEFENDANTS**

**ORDER**

Plaintiff filed a *pro se* Complaint (docket entry #2) on August 10, 2004 pursuant to 42 U.S.C. § 1983, and was granted leave to proceed *in forma pauperis* by Order (docket entry #4) of November 23, 2004.

Plaintiff has failed to respond to the Court's Order (docket entry #27) of January 25, 2007. Records from the Arkansas Department of Correction (ADC) indicate that Plaintiff is no longer incarcerated in the ADC, and as such, Plaintiff was ordered (docket entry #27) to submit current information regarding his financial status to determine whether he should be required to pay all, or a portion of, the remaining fees and costs of this lawsuit.

Due to Plaintiff's failure to respond to the Order and lack of prosecution, this action is DISMISSED WITHOUT PREJUDICE under Local Rule 5.5(c)(2) of the Eastern District of Arkansas. The trial date and existing deadlines established in the Scheduling Order (docket entry #29) of February 22, 2007, are terminated.

DATED this 12th day of March, 2007.



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United States Magistrate Judge